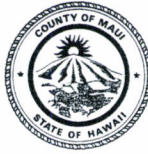


DANNY A. MATEO
County Clerk



JOSIAH K. NISHITA
Deputy County Clerk

OFFICE OF THE COUNTY CLERK

COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/county/clerk

September 25, 2017

RECEIVED

2017 SEP 25 PM 2:45

OFFICE OF THE MAYOR

DEPT. OF LIQUOR CONTROL
COUNTY OF MAUI

2017 SEP 27 AM 10:57

RECEIVED

Honorable Alan M. Arakawa
Mayor, County of Maui
200 South High Street
Wailuku, Hawaii 96793

For transmittal to:

Mr. Glenn Mukai, Director
Department of Liquor Control
County of Maui
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

Alan Arakawa 9/26/17
Mayor Date

Dear Mr. Mukai:

Transmitted herewith for your records is a copy of the AMENDMENT TO
TITLE 08, CHAPTER 101, RULES GOVERNING THE MANUFACTURE AND
SALE OF INTOXICATING LIQUOR OF THE COUNTY OF MAUI, effective
September 25, 2017.

Respectfully,

A handwritten signature in black ink, reading "Danny A. Mateo".

DANNY A. MATEO
County Clerk

/lks

Enclosure

Amendments to Title 08, Chapter 101,
Rules Governing the Manufacture and Sale
of Intoxicating Liquor of the County of Maui

1. Section 08-101-22, Rules Governing the Manufacture and Sale of Intoxicating Liquor of the County of Maui, is amended by amending subsection (j) to read as follows:

“(j) Class 10. Special license.

(1) A special license may be granted by the director for the sale of liquor for a period not to exceed three consecutive days at the same location for fundraising events by nonprofit organizations, political candidates, and political parties; provided that any registered educational or charitable nonprofit organization may sell liquor in its original package for off-premises consumption.

(2) Special licenses shall be issued only to charitable or educational nonprofit organizations, to political parties and to candidates seeking public office from which organization no person is entitled to or takes, directly or indirectly, any share of the profits thereof. Nonprofit charitable or educational organizations shall be required to attach their U.S. Internal Revenue’s sections 501(c)(3), 501(c)(4), 501(c)(10), or 501(c)(19) exemption letter and political candidates shall be required to attach a copy of their organizational report filed with the State campaign spending commission, to their application. Notwithstanding the provisions in subchapter 4, Licensing Procedures, special license applications for non-profits shall not require personal history statements or criminal history background checks, but shall be subject to the following conditions:

(A) (Applicable to individual only). The applicant is the sole owner of the nonprofit proposed to be licensed, is no less than twenty-one years of age, and is not a person who has been convicted of a felony and not pardoned.

(B) (Applicable to corporation only). The individuals indicated on the application are all the officers and directors of the corporation or stockholders who own twenty-five percent or more of its outstanding capital stock, and each officer, director, and stockholder is no less than twenty-one years of age, and is not a person who has been convicted of a felony and not pardoned.

(C) (Applicable to partnership or LLC only). The individuals indicated on the application are all the members of the partnership or LLC indicated on the application, and each member is no less than twenty-one years of age, and is not a person who has been convicted of a felony and not pardoned.

- (D) (Applicable to unincorporated association only). The individuals indicated on the application are all the members of the applicant association and the full names of the officers thereof, each of whom is no less than twenty-one years of age and is not a person who has been convicted of a felony and not pardoned.
 - (E) No person other than the applicant named herein will have any interest in the business affected by the application without prior approval of the commission.
 - (F) No liquor license heretofore issued to the applicant has been revoked within a term of two years preceding the date of the application.
 - (G) The applicant (or if the applicant is an entity, the officers and directors thereof) is familiar with the provisions of the State statutes relating to intoxicating liquor and with these rules.
 - (H) The applicant shall comply with all applicable State and County rules, laws, and regulations.
 - (I) The information submitted with the application represents a full, true, and correct statement of the applicant.
- (3) Of this class, there shall be the following kinds:
 - (A) General (includes all liquor except alcohol);
 - (B) Beer and wine; and
 - (C) Beer.
 - (4) Liquor sold under a class 10 license shall be consumed on the premises. [Eff 7/1/00; am and comp 7/15/02; am and comp 4/22/12; am and comp 6/18/15; am and comp 3/4/17; am and comp 7/29/17; am and comp 9/25/17] (Auth: HRS §§91-2, 281-17) (Imp: HRS §281-17)"

2. Section 08-101-69, Rules Governing the Manufacture and Sale of Intoxicating Liquor of the County of Maui, is amended by amending subsection (a) to read as follows:

"(a) No licensee of any premises licensed to sell liquor for consumption on the premises shall:

- (1) Sell, advertise, or offer to sell "all the liquor you can drink", or more than two drinks of alcoholic beverage for a fixed price; or encourage, sponsor, permit or have any promotion, game or contest that involves the consumption of liquor or the awarding of liquor as a prize[;].
- (2) Serve an unlimited amount of liquor during a set period of time for a fixed price, provided this provision does not apply to class 2, class 9, class 10, and class 12 licensees:


- (A) When such function is not open to the general public and for which a hosted bar is utilized such as weddings, private parties, and fundraising functions;
 - (B) Where champagne may be inclusive with brunch;
 - (C) Where liquor may be inclusive with luaus; or
 - (D) Where liquor may be inclusive with tour or cruise vessel operations[;].
- (3) Employ any person for the purpose of selling, furnishing or serving liquor under any scheme, plan, or arrangement involving the payment for such services on the basis of any commission, percentage, or such similar method of payment without the prior approval of the commission. [Eff 7/1/00; am and comp 4/2/07; am and comp 3/4/17; am and comp 9/25/17] (Auth: HRS §§91-2, 281-17) (Imp: HRS §281-17)”

3. Material, except source notes, to be repealed is bracketed. New material is underscored.

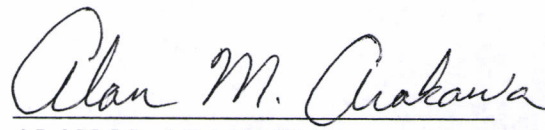
4. Additions to update source notes to reflect these amendments are not underscored.

5. These amendments to Chapter 101, Rules Governing the Manufacture and Sale of Intoxicating Liquor of the County of Maui, shall take effect ten days after filing with the Office of the County Clerk.

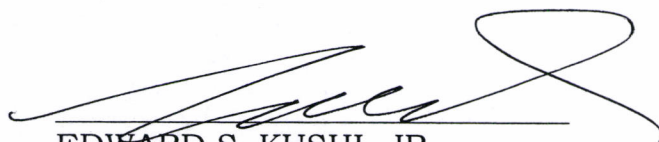
Adopted this 13th day of September, 2017, at Wailuku, Maui,
Hawaii.

By 
ROBERT TANAKA
Chairperson
LIQUOR COMMISSION

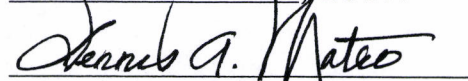
Approved this 15 day of
September, 2017.


ALAN M. ARAKAWA
Mayor, County of Maui

APPROVED AS TO FORM
AND LEGALITY:


EDWARD S. KUSHI, JR.
First Deputy Corporation Counsel
County of Maui

Received this 15th day of
September, 2017.


Clerk, County of Maui

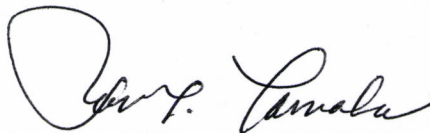
CERTIFICATION

I, ROBERT TANAKA, Chairperson of the Liquor Commission of the Department of Liquor Control, County of Maui, do hereby certify:

1. That the foregoing is a copy of the amendments to the Rules Governing the Manufacture and Sale of Intoxicating Liquor of the County of Maui, drafted in Ramseyer format, pursuant to the requirements of Section 91-4.1, Hawaii Revised Statutes, which were adopted on the 13th day of September, 2017, by affirmative vote of the proper majority following a public hearing on September 13, 2017, and filed with the Office of the County Clerk.

2. That the notice of public hearing on the foregoing amendments to the rules was published in The Maui News on the 13th day of August, 2017.

COUNTY OF MAUI

A handwritten signature in dark ink, appearing to read "Robert Tanaka", is written over a horizontal line.

ROBERT TANAKA
Chairperson
LIQUOR COMMISSION